IN THE UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVIANIA

In re Maranda Nichole Grasley,

Chapter 13

Docket No.: 5:22-bk-22-02354-MJC

Debtor.

DECLARATION OF MATTHEW DOUGLAS GOTHARD

- I, Matthew Douglas Gothard, hereby declare and state as follows:
- 1. My legal name is Matthew Douglas Gothard. I am over the age of 21 and am competent to make this declaration. I am a Senior Paralegal with Bread Financial Payments, Inc.
- 2. Comenity Bank (the "Bank") and its affiliate servicers (hereinafter, collectively referred to as "Comenity") are all subsidiaries of Bread Financial Payments, Inc.
- 3. I am making this declaration in support of the response to the objection filed by Vicki Ann Piontek, attorney for Debtor in connection with the above matter. I am familiar with the facts set forth in this declaration, through personal knowledge and through review of account records maintained in the ordinary course of business by Comenity. I am familiar with the recordkeeping practices of Comenity. The contents of this declaration are believed to be true and correct based upon my personal knowledge of the processes by which Comenity maintains records. If called as a witness, I can testify competently to my knowledge of the facts set forth in this declaration.
- Comenity Bank is a Delaware state bank with its principal place of business in Wilmington, Delaware.

1054486\312186636.v1

- 5. The business records attached hereto are exact duplicates of the originals except for (1) any marking intended to identify the record as a copy and (2) any redaction intended to remove personal identifying information of the account holder.
- 6. In the ordinary course of its regular business, Comenity maintains electronic records related to each account. These records are made by, or from, information transmitted by an individual with knowledge of the events described therein at or near the time of the event described in each record. Among other things, these records enable Comenity to determine what documents were sent to a cardholder, and when those documents were sent. Comenity relies on these electronic records in the ordinary course of managing and servicing accounts.

Those records show the following:

- 7. On or about June 27, 2018, debtor Maranda N Grasley ("Debtor") applied for and was issued a Victoria's Secret credit card account with an account number ending in "3507" (the "Account").
- 8. The Account was subject to written terms and conditions that are reflected in a Credit Card Agreement (the "Account Agreement"). Attached as Exhibit A is a true and correct copy of the Account Agreement.
- 9. Pursuant to Comenity's policies and procedures, upon the opening of a credit card account, the Account Agreement is sent to the consumer as part of a Welcome Kit via U.S. Mail to the address on file. In this case, a copy of the Account Agreement was mailed to Maranda N. Grasley at the original address of record on the Account, of 316 Summerhill Ave, Berwick, PA 18603, via the United States Postal Service on or about June 28, 2018. Comenity has a system by which returned Welcome Kits and other mail is noted in an accountholder's records. Comenity has no record that the Welcome Kit or Account Agreement were returned as undeliverable.
 - 10. Comenity sold the Account to Midland Credit Management, Inc. ("MCM") on or

about June 13, 2022.

- 11. Comenity's records reflect that the last purchase made on the Account prior to sale was on May 21, 2021.
- 12. Comenity's records reflect that the last payment made on the Account prior to sale was on September 27, 2021.

I have read this declaration and affirm that the statements herein are based upon my own personal knowledge. I declare, under penalty of perjury under the laws of the United States of America, that the foregoing statements are true and correct.

Watther Dollard

Executed this 8th day of September, 2023

IMPORTANT NOTICE FOR CUSTOMERS THAN OPENED THEIR ACCOUNT VIA TELEPHONE.

Please are the enclosed Crief Cord Account Agreement for the Treat please are the enclosed Crief Cord Account Agreement for the Treat popend their accounts and solven service and construction. The cord of their accounts are solven and their accounts are solven an me any apparathy of or discretion and reclude one or more Regular Revoluting or learning their offerent generations (both Plans from time to time, the range their offerent generations) to the plans of the second to the plans of the second to the plans of the second to the secon The filter (Low Typering) is the filter (Low Typering) in the second content (the days of the filter (Low Typering) in the second content (the days of the filter (Low Typering) in the second content (the days of the filter (Low Typering) in the second content (the days of the filter (Low Typering) in the second content (the days of the filter (Low Typering) in the second content (the filter (Low Typering)) in the accounts via telephone.

IMPORTANT INFORMATION ABOUT OPENING AN ACCOUNT: To help the povernment light the funding of lerver son and moncy laundering activities, redeal law requires all infancial institutions to obtain, verify and record information that identifies each person who opens an account, what this means for your when you open an account, we will ask for your name, address, date of birth or other information that will allow us to identify you. We may also ask to see your driver's locense or or their derifying documents. Agriculture of the control come and come and common that are all allow as to identify you. CR Specificate, 1900 are are are all you pays give a security approached. Residents, the common term of the common terms o You may accord your Account. You result (degrees up they are remembers.)

We may account your Account at any line, for any reason.

We may either to sufficious any purchase on your Account. We may give be supposed your Account and your girls this pay your fail, including each card you give to distinct Account and your fail you give to distinct or supposed or supposed or supposed or your Account down the register your deligation to pay any amount you good in Account includes each Card you give to distinct any Cardinal Account and your Account includes each Card you give to distinct the Account Accoun which the law VI, and VI Relatests to they vide coefficiently only the coefficient of the common section of the coefficient of pointed by and it could not represent by agriculture law.

Described by an analysis of the country of the count calculated and applied inhered, fees and charges: when and how fees and costs are applied to your account Other important information: legal rights, costs, and how we'll handle changes to your account

Disputes and reporting to consumer reporting agencies: data we provide, and receive from, consumer reporting agencies, and what to do if you think there is an error on your notin, container reporting agencies, and wrist to do it you make series as all evit on your Optional products have be privately pure access them feature in their, and information on services that can help pay your dold in case of emagencies of Commissionity with two what happens when you contact us contained and pay that affaitation and just plat waters how we'll recard endangements, including a jusy that language the product of the product of the product of the product of products for observations or Coverd Borneson under the Military Linding Act say statement how we collect, use, share, and protect your personal information; and the contents you affair. Financial terms of your account
Interest Rates and Interest Charges Annual Percentage Rate (APR) for Purchases APR will vary with the market based on the Prime Rate. Your due date is at least 25 days after the close of each billing cycle. We will not charge you interest on purchases if you pay your entire balance by the due date each month. Consider the control of the control The bears for features in sources required in identity to child a speciment and one of the control features and the contr which lefterfiel date. For additional inferences are get woman of left grames period in the degenerative reproduction year legical case the Agreement even with year new account sectorum peckage for arealise Fift information in effect within 30 days of frening. Maritum Pyrame.

White in Pyrame is a production of the case of the period of the purchase place and information products for Regular Revende and pronoclosus Order fine purchase place are performed in the production of the period of the period of the period of the period of the Part Ose revendes. In part of the Maritum Pyrame for the loss than \$12.75 or just Account Children 11 or 11 Place of the control of \$2.000, you must give the moveme recreament or the control of Place \$1.0.00 (an implemental pour regulation pour regulation pour tance and pour control pour tance and pour control pour tance and pour control pour tance and p printed the wind could could be critical by to of additive presson or entire, to the elevation of AL Readdedth. We will not change partnering feed if you mand behave it is 2000 or less. MD Readderth will not change you for costs often than attempts feed. MO Readderth Readder course our job will pay if they are granted by the court.

Characte
We may add, charage, or delete the terms of your Account. If required by applicable task
we may add, charage, or delete the terms of your Account, and in reject the charagests.

Couper and a county interest in all goods you procharact through the use of the Account, not
of a fair this mile fully use and in all knowledges that the county interest in the county interest in the county in the county interest in all goods you procharact through the use of the Account, not
of a fair this mile fully use and in all knowledges that and considered and considered of a considered and cons out of the 1. Account fewer have when any other control of the 1. Account fewer has a second or the 1. Account fewer has a ourly interest in all goods you purchase through the use of the Account, now the future and in all accessions to and proceeds of such goods. We wave any sey may have in your principal dwelling, to the eitent that it would otherwise security interest we may have in your principal dwelling, to the entent that it would otherwise secure any obligation arising herounder. Changes to your information. You agree to notify us immediately of any changes to your name, mailing address, electronic mail lichtees or historyour provincial. mail áduess of telephone numberos. <u>Commining Line</u> THIS MARGEMENT IS GOVERNED BY DELINIMAGE AND APPLICABLE FEDERAL LINN. THIS IS THE LAW WE ARE SPEAJAING OF WHEN WE REFER TO A TERM PERMITTED OR RE-THE LOW MAY BE STANDING WITHOUT HE WAS IN THE WAS AN ADMITTANCE OF THE WAS AN ADMITTANCE OF THE WAS AN ADMITTANCE OF THE WAS ADMITTA nature (as applicable) own protection, please sign your Card before using it. Keep in mind that your sig-in the Card sort a prerequisite to your obligation to pay amounts incurred on your For yourse, of this degenerate is not the gas packaded has the special section of special investigation. User research we will left not the special section of special investigation. User research we will left not the special section of special investigation. User research we will left not the special section of the special investigation. User research we will set not the special section of the special investigation of the special section of the special se cont. We refer to it is president to you design on a year allowers inclined to your country. Your Account may be used to make purchases from Vindonia's Secret and other retailers are may determine consciously by crediting you us deduction; mail, substreet mea-ting the control of the cont genthing, ANI shage at cosinos, and illegal activities. We Serments. Fay your Account by sending a check, money order, or cachien's check payable in U.S. Please don't and cach, and also share on your Selferment spec field on pay well. Be sure to include your perment shall, do not also leyour perment to the stub, use the envelope provided with your Statement and con't send any correspondence with your statement and cache. All the control of th o to payment shall open the an accord and state factors without a prior within 100 per This door both by a should part of this and our responsibilities used the first Oscill Shing.

When the D of this first Admission D has detailment with an air Committy Bosis, FO East

(2014) Committee, One 2014 Shing Shingerment, with a use at Committy Bosis, FO East

(2014) Committee, One 2014 Shingerment, which was a constraint of the Committee of the Committ posterior of the amount you think is, wording.

posterior of the amount you think is, wording the posterior of the amount of the amount of the posterior of the amount of the amount of the posterior of the amount of the amount you think is wording.

What if we found the posterior of the amount you think is wording. You may call us, but if you do we are not only the posterior of the amount you think is wording.

What if we found the posterior of the amount you think is wording. You may call us, but if you do we are not only the posterior of the amount you think is wording.

What if we found the amount you think is wording. You may call us, but if you do we are not only the amount in question. What is the amount you think is wording. You may call us, but if you do we are not you then amount you think is wording.

What if we found the amount you think is wording. You may call us, but if you do we are not you then amount you think is wording.

What if we found the amount you think is wording. You may call us, but if you do we are not you then amount you then amount you then amount you the amount you will not you then amount you then The Upper of Personal Information was called the American Personal Annual Control Cont requirements and minimum payment)

****************** S COMENITY DO V Final de manaiser choose les Fréderis las gives consument par Fréderis las gives consument par protect your personal information unice appear de la consument tre legies el personal information tre gives el personal information tre par Account l'abiners and per All manaiser consument tre engolde businesses in formation in formation in tre engolde businesses tre par All manaiser con state services and personal propriets media formation con participation tre proprieta tre participation tre particip

With 30 days of meaning your letter, we must be a you that we recoved you letter. We will not be a property of the control of Self-interface of the part of Sense and Account of the P.O. Sense Prices on the sense of the contract of the prices The American Conference of the early in the Administration of the Administr